



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fike *et al.*

Appl. No.: 09/606,314

Filed: June 29, 2000

For: **Dry Powder Cells and Cell Culture
Reagents and Methods of
Production Thereof**

Confirmation No.: 1340

Art Unit: 1654

Examiner: Flood, M.

Atty. Docket: 0942.4290005/RWE/FRC

Fifth Supplemental Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§1.56, 1.97 and 1.98.

The numbering of this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed on July 22, 2004, in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

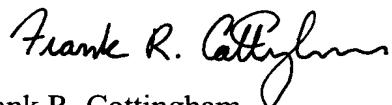
This Fifth Supplemental Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required. 37 C.F.R. § 1.97(b)(3).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: SEPT. 24, 2004

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FORM PTO-1449

FIFTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTPATENT & TRADEMARK OFFICE
O I P I
DOCKET NO.
0942.4290005APPLICATION NO.
09/606,314FIRST NAMED INVENTOR
Fike et al.FILING DATE
June 29, 2000ART UNIT
1654

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA4	4,673,649	06/16/1987	Boyce et al.	435	240	07/15/1983
AB4	5,773,061	06/30/1998	Getler et al.	426	285	05/15/1996
AC4	6,627,426	09/30/2003	Biddle et al.	435	243	05/23/2000
AD4	2003/0153079 A1	08/14/2003	Fike et al.	435	404	12/02/2002
AE4	2004/0087022 A1	05/06/2004	Fike et al.	435	404	10/16/2003
AF4						
AG4						
AH4						
AI4						
AJ4						
AK4						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes
AM						No
AN						Yes
AO5	WO 98/36051	08/20/1998	WIPO			No
AP						Yes
						No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	14	Barritault, D., et al., "Is There a Ubiquitous Growth Factor in the Eye? Proliferation Induced in Different Cell Types by Eye-Derived Growth Factors," <i>Differentiation</i> 18: 29-42, Springer-Verlag (1981).
AS	14	Cohen, S., "Isolation of a Mouse Submaxillary Gland Protein Accelerating Incisor Eruption and Eyelid Opening in the New-born Animal," <i>J. Biol. Chem.</i> 237: 1555-1562, The American Society of Biological Chemistry, Inc. (1962).
AT	14	Fike, R., et al., "Advanced Granulation Technology (AGT TM). An alternate format for serum-free, chemically-defined and protein-free cell culture media," <i>Cytotechnology</i> 36: 33-39, Kluwer Academic Publishers (2001).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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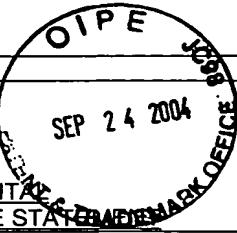
AR	<u>15</u>	Gilchrest, B.A., et al., "Characterization and Partial Purification of Keratinocyte Growth Factor From the Hypothalamus," <i>J. Cellular Physiology</i> 120: 377-383, Alan R. Liss, Inc. (1984).
AS	<u>15</u>	Gomori, G., "Preparation of Buffers for Use in Enzyme Studies" in <i>Methods of Enzymology</i> , Vol. 1, [16], pp. 138-146. Colowick, S. P. and Kaplan, N. O., Eds., Academic Press, Inc., New York (1955).
AT	<u>15</u>	Lambert, K.J., and Birch, J.R., "Cell Growth Media," in <i>Animal Cell Biotechnology</i> , Vol. 1, pp. 85-122. Spier, R. E., and Griffiths, J. B., Eds., Academic Press, Inc., London (1985).

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	AR	16	Maciag, T., et al., "An endothelial cell growth factor from bovine hypothalamus: Identification and partial characterization," <i>Proc. Natl. Acad. Sci. USA</i> 76: 5674-5678, National Academy of Sciences (1979).
	AS	16	Maciag, T., et al., "An Endocrine Approach to the Control of Epidermal Growth: Serum-Free Cultivation of Human Keratinocytes," <i>Science</i> 211: 1452-1454, American Association for the Advancement of Science (1981).
	AT	16	Peehl, D. M., and Ham, R. G., "Growth and Differentiation of Human Keratinocytes without a Feeder Layer or Conditioned Medium," <i>In Vitro</i> 16: 516-525, Tissue Culture Association (1980).

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>17</u>	Radominski, R., et al., "Production-Scale Qualification of a Novel Cell Culture Medium Format," <i>BioPharm</i> 14: 34-39, Invitrogen Corporation (2001).
AS	<u>17</u>	Ringer, S., "Concerning the Influence Exerted by Each of the Constituents of the Blood on the Contraction of the Ventricle," <i>J. Physiology</i> 3: 380-393, Cambridge Scientific Instrument Company's Works (1880).
AT	<u>17</u>	Tritsch, G. L., and Moore, G. E., "Spontaneous Decomposition of Glutamine in Cell Culture Media," <i>Exp. Cell Res.</i> 28: 360-364, Academic Press (1962).

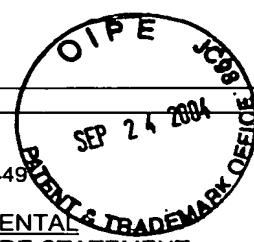
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AR	18	Wang, R.J., and Nixon, B. T., "Identification of Hydrogen Peroxide as a Photoproduct Toxic to Human Cells in Tissue-Culture Medium Irradiated with "Daylight" Fluorescent Light," <i>In Vitro</i> 14: 715-722, Tissue Culture Association (1978).
AS	18	Waymouth, C., "Construction and Use of Synthetic Media," in <i>Cells and Tissues in Culture</i> , Vol. 1, pp 99-142. Willmer, E. N., Ed., Academic Press, NY (1965).
AT	18	Waymouth, C., "Osmolality of Mammalian Blood and of Media for Culture of Mammalian Cells," <i>In Vitro</i> 6: 109-127, Tissue Culture Association (1970).

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